

corporate the Medical Association of Texas. The committee believe that a well organized association of the kind proposed, will produce beneficial results, and that with a few amendments, the bill proposed will be unobjectionable. The committee, therefore, recommend the passage of the bill with the following amendments :

1st. Amend the first section by striking out the words, "in perpetuity or for any term of years," and insert in place thereof "for the term of fifty years."

2d. In same section amend by inserting, after the word "soever," "not to exceed in value the sum of one hundred thousand dollars."

3d. Strike out the second section, and insert "Section 2d. That this act shall take effect and be in force from and after its passage."

On motion of Mr. Paschal, the rule requiring reports to lie on the table one day, was suspended, the report adopted and the bill ordered to be engrossed.

On motion, the Senate adjourned until 9 o'clock Monday morning.

MONDAY, November 14, 1853.

The Senate was called to order by the President pursuant to adjournment—roll called—quorum present.

The journal of Saturday read and adopted.

Mr. James T. Lytle, Senator elect from District No. 26, composed of the counties of Calhoun, Victoria, Jackson, Goliad, De Witt and La Vaca, presented his credentials, was qualified and took his seat.

Mr. Edwards presented the petition of H. M. Kinsey, which, on motion of Mr. Edwards, was referred to the committee on Public Debt.

Mr. Edwards presented a petition for the relief of the heirs of John Farmer; which, on motion of Mr. Edwards, was referred to the committee on Private Land Claims.

Mr. Durst presented a petition to amend the Corpus Christi Corporation Charter, and establish a free school in said place; which, on motion of Mr. Durst, was referred to the committee on the Judiciary.

Mr. Lott, chairman of the committee on Privileges and Elections, made the following report :

COMMITTEE-ROOM, Nov. 12, 1853.

To Hon. J. W. HENDERSON,
President of the Senate:

A majority of the committee on Privileges and Elections, to whom was referred the memorial of E. B. Barton, of the 28th Senatorial District, contesting the seat of the Hon. E. B. Scarborough, in the Senate, have had the same under consideration, and respectfully ask to report as follows, viz: That from the mass of conflicting testimony before them, they have hesitated in making up a decision, from the fact that the evidence, (which is too voluminous to be embodied in this report,) is so conflicting, irreconcilable and unsatisfactory that it would be next to an impossibility to form a conclusion free from doubt.

The following are the grounds assumed by the memorialist, E. B. Barton:

First. Because the polls at precinct No. 8, in the county of Cameron, were opened by the presiding officer before the time prescribed by law.

Second. Because at precinct No. 5 the presiding officer was not legally appointed, and that said officer transcended his duty by taking or removing the ballot box before the votes were compared, as the law directs.

Third. Because the conduct of the presiding officer at precinct No. 7 was partial and fraudulent.

Fourth. Because a number of Mexican citizens, representing themselves as Americans, did illegally and fraudulently vote at the several precincts in said county of Cameron.

Your committee have examined the testimony relating to each and every allegation charged by the memorialist, and think it not improbable that irregularities happened, and that illegal votes were given upon both sides. But upon weighing the testimony between the parties, and applying it to the subject under consideration, we are of the opinion, and so decide, that the Hon. E. B. Scarborough is entitled to membership in the Senate.

ELISHA E. LOTT, Chairman.

Mr. Bryan presented the petition of the heirs of B. F. Bradford, which, on motion of Mr. Bryan, was referred, with accompanying papers, to the committee on Private Land Claims.

On motion of Mr. Paschal, 200 copies of the bill to Invest \$3,000,000 of the Public Funds and encourage Internal Improvements, were ordered to be printed.

Mr. Guinn introduced a bill for the relief of Nathan N. G. Allen; read first time.

Mr. Lott introduced a bill concerning weights and measures; read first time.

Mr. Holland introduced a bill to perpetuate and keep in force an act relinquishing to the counties the State tax for the years 1852 and 1853, approved February 13th, 1852, for the years 1854 and 1855; read first time.

ORDERS OF THE DAY.

A bill to establish a system of common schools; read second time, and, on motion of Mr. Taylor, referred to the committee on Education, and 200 copies ordered to be printed.

A bill to be entitled an act concerning writs of error; read second time, and, on motion of Mr. Taylor, referred to the committee on the Judiciary.

A bill to be entitled an act supplementary to an act regulating fees of office, approved March 20th, 1848; read second time, and, on motion of Mr. Armstrong, referred to the same committee.

A bill entitled an act granting land to Wm. Windgate; read second time, and, on motion of Mr. Gage, referred to the committee on Private Land Claims.

A bill for the relief of the heirs of Matthew Burnett; read second time, and, on motion of Mr. Gage, referred to the same committee.

A bill to incorporate the Sharon Union School; read second time, and, on motion of Mr. Taylor, referred to the committee on Education.

A bill requiring the counties of Kaufman, Van Zandt and Wood to pay a portion of the old debt of the county of Henderson; read second time, and, on motion of Mr. Martin, referred to the committee on Counties and County Boundaries.

Mr. Johnson Wren, Senator elect from District No. 2, composed of the counties of Lamar and Hopkins, presented his credentials, was qualified and took his seat.

A bill to prevent vice and immorality on the Sabbath; read second time, and, on motion of Mr. Guinn, referred to the committee on the Judiciary.

A bill to incorporate the Black Cypress Bridge, Ferry and Turnpike Company; read second time, and, on motion of Mr. Taylor, referred to the committee on Roads, Bridges and Ferries.

A bill to authorize Bartlett Sims to raise a location therein named, and locate the same on any vacant land; read second time, and, on motion of Mr. McAnelly, referred to the committee on Public Lands.

A joint resolution proposing an amendment to the Constitution of the State of Texas; read second time, and, on motion of Mr. Taylor, referred to the committee on Education.

A bill to be entitled an act to amend an act to regulate proceedings in the district courts; read second time, and, on motion of Mr. Sublett, referred to the committee on the Judiciary.

Resolution of the Senate, that the 38th rule of the Senate be rescinded; read, and, on motion of Mr. Gage, referred to the committee on the Revision of Rules.

On motion of Mr. Paschal, the Secretary of the Senate was authorized to rent two rooms for the use of the committees, at a cost not to exceed twenty-five dollars per month for each.

On motion of Mr. Jowers, the Senate adjourned until 9 o'clock to-morrow morning.

TUESDAY, November 15, 1853.

The Senate was called to order by the President pursuant to adjournment—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. McDade presented the petition of James and W. C. Walker; referred to the committee on Public Lands.

Mr. Bryan presented the petition of James E. Black, William Sellers and Edward Walcott, praying for land; also, the petition of Romulus Flowers, asking for land, which were referred to the committee on Private Land Claims.

Mr. Gage, chairman of the committee on State Affairs, to which was referred a joint resolution to provide for amending the 30th section of the General Provisions of the Constitution, reported the same back to the Senate and recommended its rejection.

Mr. Gage, from the same committee, made the following report:

The committee on State Affairs, to which was referred a bill regulating mills and millers, have had the same under consideration, and have instructed me to return the same to the Senate, and recommend its passage, with an additional section as amendment, to come in as section 7, which is respectfully submitted, the chairman dissenting:

SECTION 7. Be it further enacted, That in the event any of the aforesaid mills or their owners or managers shall refuse to grind for the tolls of grain or money, as specified as aforesaid, and run their mills upon the system of exchanging flour for